App F IX 4

Previous References

1936
(2nd)

Previous

File No 68-36

Serial Nos 67, 91, 94

Letter References

2nd 68-36-Sls 101, 102
2nd 69-38-Sls 7, 10
Mis 5-3; (64-67)
ML 92-51-(49, 50)
ML 92-51-(78, 79)

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for June 1937

SUBJECT

Abolition of the levy of octroi duty on petrol in all the municipalities in the State

91 91

To the Secy Govt
" Pdt, Municipal Engr
" Rel Comm, Bangalore Engr
" Secy, Municipal Transport Board
" Comptroller Govt
Director of Health

L 8509-22 Dy 28-5-37
passes orders regarding the

WD 0419—GPB—22 500—2) 8 36

28/5/37

Serial No

67 Letter no 61/621-1286 dtd 7 & 3/37 from Mr A L Hall the Imperial Plant's Association forwarding for the final absolution prior orders regarding the [illegible] [illegible] [illegible] the State

II Members noted there —

"Ser Secy will compliment Ligee & may be pertaps after acknowledging this letter

(Sd) N M 3/3

Ser Secy

Acknowledgment & compliment

9/3/37 pm

13/3/37

Ser Secy

Ack'd 15/3/37

6603/37/3

Ack'd no & 6601 dated 15-3-37

4) Ref file 75-35-28 & put to for the orders, leading to the issue of this office letter no 4996-572 S/Ref 75-35-28 dtd 6-1-36 to the dep'n conc'd stating that Govt will not sanction any new proposals for the levy of cesses on petrol and that

NOTE—Contn Sheet

Copy of letter on petrol

2-C File No 68 -3/1 4173 of 1936 | General and Revenue Secretariat

Serial No

as regards the matter already laying the Lop, the duty may be continued subject to the Members' remarks — I am in sympathy

17/3 Jma

Sir Please put up a detailed note with refers as mentioned

17/3/37

6 Under sections 61 (iv) (iv) of the Town Duties Rules and 61 (1) (a) of the Town Duties Rules certain is levied on animals or goods which brought within the said limits for consumption or use therein the statement made by Mr A L Hill in para 5 of his letter is correct

7 As regards the point raised by Mr A L Hill in paras (4) and (9) of his letter, the Central Treasure Board has to be consulted

18/3 Jma

Dep Secy)

18/3/37

6726
18/3/37

8 Could have a copy of the principle That Rebate allowed will be further taxed by the State while in that is certain other the Hessian Sikkar duty is

Mr Hills' letter re abolition of Octroi on

General and Revenue Secretariat (File No 4173/6 of 1936-37) 4173/2 [App F III—2

Serial No

3990

a source of land revenue with out which the Min cannot manage unless they can think of alternatives May the Dewan does your Highness be consulted as to whether they can manage without an alternative source of octroi where Petrol is yielding excise and revenue?

Secretary

18/3/37

9) With the approval of the Dewan, this question may be considered at a meeting of the Council

Dewan

22/3/37

22/3/37

10) MJ 22-3-37

Chief Secy with compts

CS 23/3

23/3/37

NOTE—Contn Sheet

WD 0417 GPB—70 000 8 9 36

File No of 193

General and Revenue Secretariat

Serial No	

C 239

Extract from the Proceedings of the 257th 4173 *Meeting of the Council of His Highness the Maharaja held at Bangalore on the* 10th April *1937*

28 Subject -

Question of abolition of levy of Octroi Duty on petrol in Municipalities

OPINION OF THE COUNCIL

11) The levy of Octroi in Municipalities is objectionable in principle and should be abolished

Sd/- Mirza M Ismail,
DEWAN OF MYSORE

Dev Secy. Wdc compd)
MS
DFN
WP
13/4/37
13/4/37

EXTRACT

Chief Secretary to Government

WD 1471—GPB—2 000—1 8-21

Mr AA Today pt

Abolition of octroi on petrol in Baptala 4173

General and Revenue Secretariat — File No 68 of 1936 — [App F III—2

DEWAN'S OFFICE 22 APR 1937 No. 4693

SECOND SECRETARY'S OFFICE 19 APR 1937 No. 7333

Serial No

17) D.-Z.-R. read — [illegible] 88 14/4/37

Dep. Secy) 14/4

Second Mr) WA 14/4/37 SJ 15/4/37

13) Final Note signed by Member CB 26/4

Dewan) WA 27/4/37 SJ 27/4/37

7447 14/4

Rec'd 16/4

OTE—Contn Sheet

WL 0417 GPB—30 000—8 9 36

File No | of 193 | General and Revenue Secretariat

Serial No

For Disposal at a meeting No C 239

1936 - 1937

GENERAL AND REVENUE SECRETARIAT

Council Matter

Subject

(clause _ of the schedule)

Question of abolition of the levy of Octroi duty on petrol in Municipalities

Circulated to the Members of Council

By Order

Chief Secretary to Government

25th March 1937

6246/29/3 **First Member of Council** 29/3

6621/27 3 37 **Second Member of Council** 27/3/37 29/3

Submitted to His Highness

14 *I submit herewith a Final Note by the* Second *Member of Council on the subject of* abolition of the levy of octroi on petrol in the Municipalities

for His Highness' gracious approval

Mirza M Ismail

Camp Fernhill,
28th April 1937

Dewan

Final Note by the Second Member of Council

Subject —

Abolition of the levy of octroi on petrol in the Municipalities

15 This was one of the questions discussed at the meeting of the Standing Committee for Local Self Government held on 29th April 1935 It was decided by the Committee that petrol should not be allowed to be subjected to octroi duty in the Municipalities in future and that as regards the Municipalities which were already levying the duty, the question whether the levy is to be continued or not should be examined

16 Statistics were accordingly called for from the Deputy Commissioners of Districts in regard to the Municipalities levying octroi on petrol and their opinion invited as to the desirability or otherwise of the continuance of the levy From the opinions received, it was seen that almost all the Deputy Commissioners were in favour of the continuance of the levy, as the Municipalities could not afford to forego the income from this source After due consideration of the question, Government passed orders that as regards the Municipalities already levying the tax, the levy might be continued, that in seven Municipalities where the income from this source was negligible, the Municipal Councils concerned should be asked to consider the question of abolishing the tax, and that new proposals for the levy of octroi on petrol would not be sanctioned

17 On receipt of a reference from Mr A L Hill, Secretary, Mysore Planters' Association, recently, urging the final abolition of the octroi duty on petrol throughout the State, the matter was further considered at a meeting of the Council held on the 10th April 1937 and it was resolved that the levy of octroi in Municipalities is objectionable in principle and shoul

be abolished

18 I solicit the gracious approval of His Highness to the resolution of the Council so that further action may be taken the matter in accordance with the provisions of the Municipal Regulations

19 I may add that the following Municipalities have been getting a substantial revenue from this source -

1	Kolar,	2	Tumkur,
3	Tiptur,	4	Chikmagalur,
5	Hassan,	6	Saklespur,
	7 Chitaldrug		

20 The question of giving some relief to these Municipal Councils in consideration of the loss of income sustained by them as a result of the present decision will be separately considered

M. C. Devadas
MEMBER OF COUNCIL

Bangalore,
26th April 1937

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject

Abolition of the levy of octroi on petrol in the Municipalities

Chief -

4/5/1

2) *Order*

~~KRW~~

30 4 37

MS
4.5.37

General and Revenue
Secretariat

A11/5 C239

SUBJECT – Abolition of the levy of octroi on petrol in the Municipalities

---

( )
31 All g t fid t l fil
t d w th H H gh d m y
th b f t t d
t t th t ry b d ly
l t d t th M mb f C l
f p l ft th f d

33 Th S t d
sh ld th t d th
f d t b ss d t d
th t th fil s t d mm d t ly
ft t th Ch f S t ry f
l t t th M mb

34 I ll th th fil w ll
fi t b l t d t th M mb f
C l t H d q rt d th t
t th S t t d f th
f d

Circulated to Members of Council for perusal of His Highness orders before/~~after~~ issue of orders (*Vide Rules* 31 33 and 34 of the S bs d ary Rules for the co d ct of bus ess of Counc l in the M n l of C unc l Rules a d P edure)

Chief Secretary to Government

Th o gh the Secretary to Gove ment

Development Depa tment

4/5/37

FIRST MEMBER OF COUNCIL

5/5

7917
4/5/37

SECOND MEMBER OF COUNCIL

4/5/37

Development Secretary
with compliments

7/5/37

7/5/37

NOTE —Contn sheet

Levy of octroi on petrol in supplies

4173

General and Revenue Secretariat | 2nd File No 68 of 1936 | [App F III—2

Serial No

23) Draft G.O submitted appd after issue a draft letter will be put up forwarding a copy of this G.O to the Hon'ble

Yes WW 10/5 GRR

WW 11/5/37

Dev Secy)

Approved subject to amendment in the draft, it is proposed to abolish the levy from the 1st July 1937, this is subject to appl

WW 11/5/37

Second m^v)

25) The draft G.O has to be amplified by giving the reasons for the decision in somewhat greater detail. The number of municipalities levying octroi, the rate at which it is levied and the aggregate income obtained by the levy have to be mentioned. A reference has to be made also in the body of the draft to the enhanced rate of 6/1/36

WW 10/6

Hon'ble Minister

NOTE—Contn Sheet

WD 0417—CPB—30 000—8 9 36

Levy of octroi on petrol in mpties

2nd File No	68 - 4173 of 1936	General and Revenue Secretariat
		Serial No

96 Revised draft of letter applr with refce to para 25 supra

my 18/5 (Dev Secy)

RNB 19/5

Secretariat

MM 19/5 (a) (b)

MM (19/5) 37

MM 20/5/37

Draft (a) (b) 19/5

8231 19/5

20 6 40 37 SEN

91

The Dep Comm of Customs-

Postal, Myore Assam

" Railways, Bengal Assam

" Rly, Myore Travancore Bd

Dir of Health

" Comptroller

8503-22 Dy 28-5-37

Directs the abolition of the levy of octroi on petrol in all the mpties

Press & Rly my 2/6

Levy of octroi on petrol

4173
L

General and Revenue Secretariat — 2nd File No 68 of 1936 — [App F III—2

Serial No

Objn to Mr A L Hall's brought of the G.O. The question refd to in para 5 will be dealt with separately

Mr 15/6

Form Un 16/6/37

To

Mr A L Hall, Esq, Mysore planters' Association,

L 8896 dy 20-6-37

Forwards a copy of G O no 1 8509-22/mil 68-36-91 dy 28-5-37

B

Mr 28/6

NOTE—Contn Sheet

WD 03594—GPB—30 000—18 7 35

File No of 193

General and Revenue Secretariat

4173

REGD OFFICE
BANK OF MYSORE LTD
CHIKMAGALUR
KADUR DISTRICT

THE MYSORE PLANTERS ASSOCIATION
(INCORPORATED)
M168-36-67
Belur-Hassan P O,
Mysore State

MPA 1864

Reference No 11/629--4286

7th March, 1937

From,
The Secretary,
The Mysore Planters' Association

To,
The Second Member of Council,
Government of His Highness The Maharaja of Mysore,
BANGALORE

S i r,

1 I have the honour to refer to our conversation in January about the levy of Municipal Octroi Duty on Petrol

2 Vide letter No L 4996-5003/ML 75-35-28 dated 6th January 1936 from the Secretary to Government, Development Department, to the Deputy Commissioners of Districts, the present position is that Government will not sanction any new proposals for the levy of Octroi on Petrol but permits Municipalities already levying the tax to continue to do so

3 While grateful to Government for preventing the spread of this tax those of us who still have to pay it feel that we are at a disadvantage Saklaspur and Hassan are amongst those Municipalities which charge 6 pies per gallon on Petrol

4 When the Mysore Road Traffic and Taxes Act was passed it was, I think I am right in saying, the intention of Government that all Taxation on Motor Transport should be done by Government itself and the inequalities of Taxation by Local Authorities should be done away with, and with this sole exception of Octroi Duty that is the present position I imagine that the only reason why Octroi Duty was not abolished when the Road Traffic and Taxes Act came into force was that different legislation was involved

5) I believe that the intention of Octroi Duty is to tax goods consumed in and not those passing through Municipalities Certainly in the case of Saklaspur, and almost certainly in the case of Hassan and probably in the case of all towns other than Bangalore and Mysore, petrol is not used for traffic within Municipal limits except incidentally In the case of Saklaspur the chief consumers are Bus services, which are on

-2-

on long and not Municipal runs, lorries carrying goods to and from Mangalore, and Planters living miles away from the Town I doubt if any car is used for running about the Municipal area, that is to say, the petrol sold in Saklaspur is entirely for use outside the Municipality

6) This Petrol Octroi being charged in a few places only puts those who have to buy their petrol in Municipalities charging Octroi at a disadvantage as compared with all other Motor Vehicle Owners in the State

7) It also affects trade and the State's share of the Government of India Road Fund Petrol Tax which is based on the amount of petrol sold in the State Messrs Burmah Shell Ltd who are the local suppliers, to do their justice, do try so to adjust their selling rates that no petrol agent shall have an advantage over another and so take more than his fair share of the local trade They are however handicapped in this by the extra Municipal Octroi where it is charged and, in particular, by competition from such places as Mangalore

8) In the case of Saklaspur, Mangalore's competition is very severe and very frequently buses and lorries running to and from there find that it pays to buy the maximum they can in Mangalore and the absolute minimum in Saklaspur This means that the State's trade and petrol consumption and consequent share of the Government of India's Petrol Tax are less than they might be

9) Largely owing to the change over in Coffee Transport from carts to lorries the total Petrol Octroi realised by the Saklaspur Municipality rose in 1936 to somewhere about Rs 1,000/- Naturally the plain cancellation of this source of income (unjustified though I submit that it is in the local circum-stances) would embarass the Town and after the years they have been allowed to charge this duty it might appear unfair. In the case of toll-gates Local Authorities are being compensated from the Road Fund for their loss of income, and I suggest that this is a parallel case and that Municipalities might be similarly compensated from the Road Fund for the loss of Petrol Octroi Income

10) I have the honour therefore to ask that you will be so good as to arrange for the final abolition of Octroi Duty on Petrol throughout the State, compensating, if it is thought fit, Municipalities who will lose income thereby from the Road Fund

-3-

11) When the Dewan was here to lunch on 2nd I mentioned this matter to him and I gathered that I had his syrpathy He suggested my writing to the Deputy Commissioner of the District and so I am sending him a copy of this letter

I have the honour to be,
Sir,
Your most obedient servant,

Secretary,
THE MYSORE PLANTERS' ASSOCIATION
(Incorporated)

Copy to The Deputy Commissioner,
Hassan District,
H A S S A N

LP

...x F G—1]

•JECT

Section

File No

Serial No

No L 6601

Diary No of letter replied to

To Mr A L Hill, Secy,
Mysore Planters' Association,
Belur-Hassan P O, Mysore State

General and Revenue Secretariat

( ) Dear Sir, Mr Hill,

th *193*

I am directed to acknowledge the receipt of your letter no 11/629-42 86 dy 7-3-37 regarding the complete abolition of octroi duty on petrol throughout the State and to state that the matter is receiving attention

Date of issue 15/3/37

Signed by Mr M Venkatarangaiya

Yours etc
Secretary

13/3/37 Secretary to Govt

List of enclosures

Copied by

Examined by

WD 03601—GPB—30 000—23 9 35

Mr M VENKATANARANAPPA B.A.
Development Secretary to Government

GENERAL AND REVENUE SECRETARIAT

Bangalore dated 15th March 1937

D O No L 660/

Dear Mr Hill

I am directed to acknowledge the receipt of your letter No 11/629 4286 dated 7th March 1937 regarding the complete abolition of octroi duty on petrol throughout the State and to state that the matter is receiving attention

Yours sincerely,

MW

A L Hill Esq.,
Secretary, Mysore Planters Association,
Belur-Hassan P O.

psk-2

G R S App F VI—G 2]

SUBJECT

15 Copies
S. O ——→

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Section Rl

File No 68-36

Serial No 91

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 28. 5 1937

Signed by

Read— Letter no L 4996 5003/ Rl 75-35-28 dy 6-1-36 from the Secy to Govt, Development Dept to the Asst Comptr Genl stating that, as regards the imptes already levying octroi duty on petrol, the levy might be continued and that new proposals for the levy of octroi on petrol would not be entertained 2) Letter no 61/629-4266 dy 7-3-36 from Mr A L Hall, Secy, Mysore planters' Association, urging the final abolition of the octroi duty on petrol throughout

May this be—

(i) printed? yes

(ii) treated as a standing order? yes

(iii) published in the Gazette English Part? yes

(iv) translated? yes

(v) placed at the disposal of the press? yes

(vi) published in the Gazette Kannada Part?

Order thereon—No

4 ~~Mr A L Hill, Esq, Mysore~~

~~Planters' Association has made a~~ Since then,
~~reference recently~~, ~~urging~~ the final
abolition of the octroi duty on petrol
throughout the State, mainly on the
grounds that ~~persons~~ Motor vehicle owners who have to
buy the petrol in mofussil charging
octroi thereon are at a disadvantage
as compared with those in other parts
of the State, and that the levy ~~also~~ materially
affects the petrol trade [in the State as the income-in-country
The State's share of the ~~Govt~~ of India
Road Fund petrol Tax, which is
based on the amount of petrol sold
in the State Govt observe that
petrol is already taxed heavily for ~~imperial~~ revenue
purposes by the Govt of India and ~~they~~
~~they~~ consider that ~~the~~ further taxation
~~in the~~ by mofussil in the State would be
~~objectionable in principle, as it would~~ as inexpedient and ~~is~~
~~calculated~~ not in
consonance with the principle
~~the~~ an additional burden ~~borne~~ of equal mofussil taxation of
underlying the Mysore Motor Vehicles
Taxation Regulation, 19)

Carried

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form)

~~5~~ ~~After further~~ careful considered question, ~~Govt~~ They are please to direct that the levy of octroi on petrol be abolished in all the municipalities in the State, wherever it is in force, with effect from 1st July 1937 subject to approval

6 As the question ~~of granting~~ whether such relief to the municipalities referred to in the Statement appended hereto ~~where this levy is in force~~ are in receipt of substantial revenue from this source or in consideration of the loss of income sustained by them, as a result of the abolition of the levy will be separately considered

Memo (9/6/37) RS10/1915 Secy to Govt Dev Dept

To —

The Secy Govt of Dist " Pdt, Mysore City " Mal Corp, Bangalore City (through the Presidents) " Secy, Mysore Traffic Board for compliance. Dir of Health

15/6/37

WD 09608—GPB—15 000—8-7-35

S. O.

Government of his highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G O No L 8509 22—Ml 68 36 91 dated 21st—28th May 1937

Octroi duty on Petrol

Passes orders abolishing the levy of —— in all the Municipalities

READ—

Letter No L 4996 5003—Ml 75 35 28 dated 6th January 1936 from the Secretary to Government Development Department to the Deputy Commissioners of Districts stating that as regards the Municipalities already levying octroi duty on petrol the levy might be continued and that new proposals for the levy of octroi on petrol would not be entertained

Letter No 61—629 4286 dated 7th March 1936 from Mr A L Hill Secretary Mysore Planters Association urging the final abolition of the octroi duty on petrol throughout the State in the circumstances stated

ORDER No L 8509 22—ML 68 36 91 DATED BANGALORE, THE 21ST—28TH MAY 1937

The annexed statement shows the names of Municipalities levying octroi on petrol at present the rate at which it is levied and the aggregate income realized by the levy during the period of three years 1932 33 to 1934 35

2 The abolition of the levy of octroi on petrol was one of the questions discussed at the meeting of the Standing Committee for Local Self Government held on 29th April 1935 The Committee was of opinion that there was not much justification for levying octroi on petrol which had already been taxed very heavily that the levy would affect the general public indirectly as they would have to pay higher rates for making use of the motor vehicles and that motor bus traffic also stood to suffer by the levy It was decided by the Committee that petrol should not be allowed in future to be subjected to octroi duty in the Municipalities and that as regards the Municipalities which were already levying the duty the question whether the levy is to be continued or not should be examined

3 In consultation with the Deputy Commissioners of Districts Government passed orders in January 1936 that as regards the Municipalities already levying the duty the levy might be continued that in seven Municipalities where the income from this source was negligible the Municipal Councils concerned should be asked to consider the question of abolishing the same and that fresh proposals for the levy of octroi on petrol would not be entertained

4 Since then the final abolition of the octroi duty on petrol throughout the State has been urged mainly on the grounds that motor vehicle owners who have to buy the petrol in Municipalities charging octroi thereon are at a disadvantage as compared with those in other parts of the State and that the levy affects the petrol trade in the State Government observe that petrol is already taxed heavily for revenue purposes by the Government of India and consider that its further taxation by Municipalities in the State is inexpedient and is not in consonance with the principle of uniform and equal taxation underlying the Mysore Motor Vehicles Taxation Regulation, 1928

They are accordingly pleased to direct that the levy of octroi on petrol be abolished in all the Municipalities in the State, wherever it is in force, with effect from 1st July 1937

5 The question whether any relief should be given to such of the Municipal Councils referred to in the statement appended as are in receipt of substantial revenue from this source in consideration of the loss of income sustained by them as a result of the abolition of the levy will be separately considered

M VENKATANARANAPPA,
Secretary to Government,
Development Department

To—The Deputy Commissioners of Districts
The President Mysore City Municipal Council
The Municipal Commissioner Bangalore City (through the President)
The Secretary Mysore Traffic Board
The Comptroller to Government
The Director of Health

ANNEXURE

Levy of octroi on petrol in Municipalities

District	Municipalities levying tax on petrol	Rate	Total realisations for the period (1932 33 to 1934 35)
			Rs
Chitaldrug	Chitaldrug	6 pies per gallon	2 564
Hassan	Hassan	Do	4 896
	Arsikere	Do	1 018
	Saklespur	Do	2 308
	Belur	One anna per tin	
Kolar	Kolar	3 pies per gallon	1 883
	Chintamani	Do	200
	Chikballapur	Do	949
Shimoga			
Bangalore	Dodballapur	6 pies per gallon	39
	Nelamangala	2 annas per tin	24
	Closepet	1 anna per tin	
	Hoskote	2 annas per tin	
Mysore	Mandya	1 anna per can	256
	Melkote	2 annas per tin	
	Maddur	6 pies per gallon	1 299
	Gundlupet	Do	199
	French Rocks	Do	2
	Seringapatam	Do	34
Tumkur	Tumkur	Do	4 406
	Tiptur	1 anna per tin	1 885
	Sira	1 anna per can	
Kadur	Chikmagalur	3 pies per gallon	3 483
	Birur	Do	447

Exd —C K

W D 2172—GPB—455—8 6 37

Appendix F G—1]

SUBJECT

Section Rev

File No 68-36

D.O. No. C.W.

Serial No 94

No C 8896 Rev I

Diary No of letter replied to

~~To~~

Dear Sir,

General and Revenue Secretariat

( )

the *193*

with reference your letter no 61-629-4286 dy 7-3-36 urging the final abolition of the octroi duty on petrol throughout the state, I am desired to forward herewith, for your information, a copy of G.O. no C 8509-24/Rev 68-36-91 dy 28-5-37 passing orders abolishing the levy of octroi duty on petrol in all the municipalities in the state with effect from 1st July 1937

Date of issue 20/6/37

Signed by Revs S K V

List of enclosures

Copied by

Examined by

Yours sincerely

Secretary to Govt

Revenue Dept

WD 0521—GPB—30 000—12 3 37

A L Hall Esqr, Secy, Mysore
planters' Association, Belur - Hassan
P O

GENERAL AND REVENUE SECRETARIAT

D O No. L 8896 / Ml 68-36-94 *Dated Bangalore* 17th/20 June 19_

Dear Sir,

With reference to your letter No 61-629-4286 dated 7th March 1936 urging the final abolition of the Octroi duty on petrol throughout the State, I am desired to forward herewith for your information a copy of G O No L 8509-22/Ml 68-36-91 dated 28th May 1937 passing orders abolishing the levy of octroi duty on petrol in all the Municipalities in the State with effect from 1st July 1937

Yours sincerely,

A L Hill, Esq ,
Secretary, The Mysore Planters'
Association, Belur- Hassan P O